

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**JULY 1, 2013**  
**COUNCIL CONVENED AT 6:23 P.M.**

1. The invocation was given by Chaplain Sherman Nichols, Central Christian Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.
- 1a. Mayor Morrissey reported the tragic loss of the nineteen firefighters in Arizona and reminded everyone as we celebrate the fourth of July to be mindful of the many sacrifices our servicemen and public safety personnel make every day . A moment of silence was observed in their honor.
2. Roll Call:  
Mayor Lawrence Morrissey  
Aldermen: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly,  
Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Absent: -0-
3. Alderman Beach moved to accept the Journal of Proceedings of June 24, 2013 seconded by Alderman Hervey. MOTION PREVAILED.

**PUBLIC PARTICIPATION**

4. Dyanna Chandler spoke in support of the community gardens program, listed several facts about its successes and invited the 13<sup>th</sup> Ward Alderman to collaborate with the West Gateway Coalition.
5. Roland Poska invited everyone to join him and Mayor Morrissey on the 4<sup>th</sup> of July at 12:00 (noon) at the corner of State and Main, Joe Marino Park, to share a moment of Interdependence with the World.
6. Pastor Melvin Brown is thankful for the bridge project in the 5<sup>th</sup> Ward and voiced his concerns about the newly appointed school superintendent.
7. Prophet Yusef declared the real hero's in life are those who serve the public, carrying out daily duties prepared to do heroic deeds when needed.
8. Anthony Foreman provided materials to the aldermen concerning his appeal of relocation benefits he received from the City.

**PETITIONS AND COMMUNICATIONS**

9. Alderman Durkee submitted a Memorandum regarding the Rockford Area Convention and Visitor's Bureau (RACVB) Quarterly Report. Referred to Planning and Development Committee for the meeting on July 22, 2013.

10. Alderman Durkee submitted a Memorandum from Wayne Dust, Planning Administrator, regarding the consideration of Auburn Street Corridor TIF District. Referred to Planning and Development Committee.
11. Alderman Beck submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming events:
  1. Foley's Bike Show – 7/14/13
  2. Kiwanis Brat Days – 7/19-20/13
  3. State Street Mile (revised) – 8/3/13
  4. Tailgate Party – 7/13/13

Referred to Code and Regulation Committee.
12. Alderman Beck submitted the Rockford Traffic Commission Agenda for the meeting to be held on July 10, 2013. Referred to Traffic Commission.

### **NEW COMMITTEE REPORTS**

13. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for (1) Forklift be made to the low bidder, Rockford Industrial Equipment, of Rockford, IL for their total bid of \$26,772.00. The funding source is Garage Capital Budget/Lease Funds. LAID OVER.
14. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Rental of Traffic Control Devices for Special Events be made to the low bidder, Sanco Traffic Control, of Rockford, Illinois for their prices listed on the tabulation. The term of the contract is one year with an estimated annual value of \$34,000.00. The funding source is Departmental Operating Budgets. LAID OVER.
15. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Millennium Fountain Operation & Maintenance be made to Geostar Mechanical, Inc., of Rockford, Illinois in the amount of \$19,064 annually. Funding source is the Redevelopment Fund. LAID OVER.
16. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of a National Joint Powers Alliance contract with a national company, CDW-G, of Vernon Hills, Illinois for IT hardware and software for an estimated annual cost of \$210,000. The funding source is IT Fund and Departmental Operating Budgets. LAID OVER.

### **2013-246CR**

17. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for S. Main St. Demolitions be made to Northern Illinois Service Co. for a total not-to-exceed cost of \$161,520.00 for the demolition of 4 commercial properties and 9 residential properties. As per agreement with IDOT, the cost of this project will be credited to the North Main Street Corridor project for sidewalks, pathways, lighting,

landscaping and traffic signal work. The funding for this project will come from Sales Tax.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED. The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
Nays: McNeely -1-  
Absent: -0-

18. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 1, 2013 in the amount of \$1,500,436.37. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

19. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than ten percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
4. That the existing free-standing sign may remain with the addition of an electric reader board.
5. Must obtain separate permits for signage.
6. Must develop site in accordance with new civil and landscaping plans approved by Staff.

Approval is based on the findings of fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

20. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of

packaged liquor in conjunction with a gas station and convenience store in the name of **Ahmad Tawfiq Elwan d/b/a Petromax 101**, in a C-3, Commercial General Zoning District at 4307, 4311, 4315, 4317, 4417 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles and liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Hours of operation are limited to 6:00 am to 12:00 am (midnight) Sunday through Saturday.
6. Windows shall not be obstructed by bars or any other device that will block windows.
7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
9. The owner shall conduct an exterior sweep of the property twice daily to pick up trash on the property.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

21. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco produces with a gas station in the name of **Samer Alzubi d/b/a Zubi Rockford, Inc.**, in a C-3, Commercial General Zoning District at 3003 11<sup>th</sup> Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Tobacco Codes
3. Window display signage is limited to 35% of window area.
4. The sale of rose tubes, airplane-sized bottles and any other product which can easily be converted into a "crack-pipe" is prohibited.
5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

22. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with video gaming in the name of **John Hassett d/b/a Flamingo Slots**, in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 South Bell School Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

2. That the business operates in conformance with the liquor codes.
3. The hours of operation are allowed as established under the liquor codes.
4. That there be no exterior window signage.
5. That there shall be no cover charge or dance floor and shall not operate as a night club.
6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted – Exhibit F

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

23. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a casual dining restaurant and bar; and the sale of liquor by the drink with an outdoor seating area in the name of **Joshua Binning d/b/a Lucha Cantina**, in a C-3, Commercial General Zoning District at 1641 North Alpine Road, Suite 212, 1605 and 1639 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday, 11:00 am – 2:00 am.
3. A cover charge, DJ or dance floor shall not be allowed.
4. That the business shall operate in conformance with the liquor codes
5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

24. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **William White d/b/a Longhorn Steakhouse**, in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657 and 6663 East State Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

25. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **Joseph Tarara d/b/a Jo-Jo's Pizza**, in a C-2, Limited Commercial Zoning District at 3110 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. The dumpster/grease container must be enclosed
3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
4. That the outdoor seating area be closed by 10:00 pm during the weekdays and

- midnight on weekends.
5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
  6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

26. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor with upscale discount retail store in the name of **Corey Haaland/Target Corporation d/b/a Target Store T-0810** in a C-2, Limited Commercial Zoning District at 6560 East State Street. Approval is subject to the following conditions:
  1. Must meet all applicable Liquor Codes.
  2. Must meet all applicable Building and Fire Codes.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

27. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Special Use Permit for off-premises business identification sign; DENY the (B) Variation to increase the maximum allowable square footage from sixty-four (64) square feet to ninety-six (96) square feet; and DENY the (C) Variation to increase the maximum allowed height from eight (8) feet to thirteen (13) feet in an I-1, Light Industrial Zoning District at 228 Energy Avenue.

Approval/Denial is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

### **2013-247CR**

28. Alderman Beck read a Code and Regulation Committee Report recommending approval of Plat #4, Resubdivision of First Rockford Group Development.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Elyea, McNeely voted no).

29. Alderman Beck read a Code and Regulation Committee Report recommending approval of a ten (10) year lease with the Orchid Neighborhood Association of the vacant lots at 721 and 727 South 3<sup>rd</sup> Street for the use of a community garden for a \$1.00. Said lease shall include an automatic renewal clause every five years, which can be exercised in the event the property is in full compliance with all City of Rockford codes and the property continues to be used as a community garden site. The Legal Director shall prepare the lease. LAID OVER.

## **OFFICERS REPORTS**

30. Mayor Morrissey presented a Proclamation proclaiming the week of June 24, 2013 to be "PROJECT 1013 WEEK" in Rockford, Illinois and urged all citizens to applaud and support the hard work of everyone involved with Project 1013.
31. Mayor Morrissey called attention to a Memorandum from Jim Ryan, City Administrator, regarding White House Council on Strong Cities, Strong Communities, an innovative federal/local initiative designed to strengthen local capacity to help communities address their economic and community development priorities. He asked council members to review the memo and contact him with any questions or concerns.
32. Mayor Morrissey submitted an appointment to the Community Action Agency Board, Mr. Maurice West II for a three year term ending June 2015. LAID OVER.  
  
Mayor Morrissey submitted an appointment to the Community Action Agency Board, Ms. Soco Swanson for a three year term ending June 2015. LAID OVER.  
  
Mayor Morrissey submitted an appointment to the Community Action Agency Board, Ms. Alisha Roser for a one year term ending June 2014. LAID OVER.
33. Mayor Morrissey thanked the aldermen that attended the third retreat session last Friday and asked everyone to provide some preferred dates and times that would work best for future retreats. He advised updated material will be provided to the aldermen for review before the next council retreat.
34. Mayor Morrissey commented that today he was honored to participate in the press conference renaming Rockford College to Rockford University.
35. Mayor Morrissey mentioned the RFI presentation/discussion regarding solid waste collection and disposal scheduled for Wednesday, July 3, 2013 at RMAP may be rescheduled. Chris Black, Finance Director, will provide notice if the meeting is cancelled.
36. Mayor Morrissey wished everyone a happy Fourth of July.
37. Alderman McNamara reported he attended the unveiling of the new exhibit at the Discovery Center honoring the life and accomplishments of Rockford Astronaut Janice Voss, veteran of five space shuttle missions.
38. Alderman McNamara also mentioned attending the 50<sup>th</sup> Anniversary celebration of the Capri Restaurant on Sunday. He thanked the Grisanzio family for investing in Rockford over the years.
39. Alderman Oddo commended Tim Hanson, Director Public Works, and his staff for their prompt attention to resolve issues and requests for service in her ward.
40. Alderman Beach commented on Alderman Frost's flying skills in the F-35 Strike Fighter simulator today.

41. Alderman Beach spoke about the fifty-six (56) men who signed the Declaration of Independence and detailed their tragic fates.
42. Alderman Beach announced the Rockford Concert band will be playing a special 4<sup>th</sup> of July concert tomorrow night at 7:00 pm.
43. Alderman Hervey mentioned as she read the *Rockford Register Star* this morning she couldn't help but get emotional after reading the excellent article about the 150<sup>th</sup> Anniversary of the Gettysburg Battle and the article about the nineteen firefighters that lost their lives battling a fire in Arizona. As we celebrate the 4<sup>th</sup> of July she asked everyone to take a moment to thank our servicemen and public safety personnel for the daily sacrifices they make.
44. Alderman Chiarelli thanked UTC Aerospace Systems for hosting an event today to rally support for the F-35 Joint Strike Fighter, a critical component to maintain US military strength around the world.
45. Alderman Chiarelli shared a conversation he had with a constituent this morning. She informed him that President Andrew Johnson was also a tailor like himself and that he was the first president to be impeached.
46. Alderman Frost also thanked UTC Aerospace Systems for hosting the event today and thanked them for their commitment to Rockford, investing in their facility and employees. He reported US Representative Bustos spoke about the Rockford Region's top ten standing in aerospace and believes with manufacturing and workforce already in place; Rockford and the greater community have the capability to move up a few notches.
47. Mayor Morrissey mentioned he attended the UTC Aerospace Systems event today and reported there is on-going debate in Washington about the future of the F-35 Joint Strike Fighter program because of escalating costs to fix operational problems.

## **UNFINISHED BUSINESS**

### **2013-248CR**

48. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the approval of the Replat of Sahlstrom's Plat #3. MOTION PREVAILED by a Roll Call vote of:

Ayes:	Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays:	-0-
Absent:	-0-

### **2013-249CR**



49. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the approval of the Replat of Puri/Swanson Plat #3. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-250CR**

50. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending approval of authorizing and regulating festival zone vending for carts, kiosks and artistic performers and replacing Chapter 5, Division 8 of the Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
Nays: McNeely -1-  
Absent: -0-

**2013-251CR**

51. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board to APPROVE of the sale of beer and wine by the drink in the name of Richard Buckley and Gary Weeks d/b/a Molly's Deli in conjunction with a restaurant in a C-3, Commercial General Zoning District at 2420 and 2424 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E
5. The hours of operation will be limited to 8:00 am to 1:00 am Monday through Sunday.
6. Window display signage is limited to 30% of the window area.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not have a dance floor
9. The restaurant shall not have any DJ's
10. The restaurant shall not have any live entertainment
11. The restaurant shall not operate as a nightclub.
12. The percentage of alcohol sales shall be no more than (15%) of the total revenue generated at the business.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -12-  
Nays: Durkee, Beach -2-

Absent: -0-

**2013-252CR**

52. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to establish a "No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to 35 feet south of Jackson Street, thus repealing the "No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to 50 feet south of Jackson Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-253CR**

53. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to establish "3 Hour" parking for thirty (30) spaces of Municipal Parking Lot F, thus repealing the "2 Hour" parking for thirty (30) spaces in Municipal Parking Lot F. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
Nays: McNeely -1-  
Absent: -0-

**2013-254CR**

54. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal "No Parking Anytime" restriction on the south side of Kent Street from Main Street west to N/S Alley, thus establishing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-255CR**

55. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal the "No Parking 7:00 am – 8:00 pm" parking restriction on the south side of Kent Street from the N/S Alley west of Main Street to 75 feet west of N/S Alley, thus establishing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-  
Absent: -0-

**2013-256CR**

56. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to establish "No Parking Anytime" on the south side of Morgan Street from Rock Street to Main Street, thus repealing the "2 Hour 8:00 am – 5:00 pm" parking restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-257CR**

57. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal "2 Hour" parking restriction on both sides of Loomis Street from Main Street to Court Street, thus establishing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-258CR**

58. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal "2 Hour" parking restriction on the south side of Montague Street from 150 feet west of Main Street to Court Street, thus establishing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-259CR**

59. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal the "2 Hour" parking restriction on the south side of Montague Street from Rock Street to 100 feet east of Main Street, thus establishing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-

Absent: -0-

**2013-260CR**

60. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal "No Parking Anytime" restriction on the south side of Montague Street from Main Street to 100 feet east of Main Street, thus repealing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

**2013-261CR**

61. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to repeal the "No Parking 3:00 pm – 6:00 pm" restriction on the north side of Montague Street from Rock Street to Main Street, thus repealing unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

**2013-262CR**

62. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for a Residential Parking Zone on both sides of Hall Street between E. Jefferson Street and 6<sup>th</sup> Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

**2013-263CR**

63. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance to establish "2 Hour" parking restriction for thirteen (13) spaces in Municipal Parking Lot TT, thus repealing "Permit Only" parking restriction for thirteen (13) spaces in Municipal Parking Lot TT. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Nays: -0-

Absent: -0-

64. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending staff submit an application modification for the following RERZ projects: Outdoor City Market improvements, Indoor City Market development, E. State St. Streetscape, Whitewater Park, Ingersoll Building renovation, Barber Colman Village, Davis Festival Park improvements, West State St. Streetscape. The action also includes requesting an extension to the Grant End date from January 31, 2014 to January 31, 2015.

Alderman McNamara made a motion to refer the item back to Finance and Personnel Committee, seconded by Alderman Thompson-Kelly. MOTION PREVAILED. REFERRED BACK TO COMMITTEE.

Alderman McNamara requested a joint meeting next Monday, July 8, 2013 with Finance and Personnel and Planning and Development Committees to discuss this item.

**2013-264CR**

65. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Network Cabling Services be made to the following bidders, Pro Com Systems and Kelso Burnett, both of Rockford, Illinois and Northern Illinois Communications, of Machesney Park, Illinois for their unit pricing as shown on the bid tabulation. The total estimated annual value of these contracts is \$20,000.00. The funding source is Information Technology Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -13-  
Nays: Newburg -1-  
Absent: -0-

**2013-265CR**

66. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Change Order for City-Wide Sidewalk & ADA Repairs Pkg. A to Campos Construction, Inc. for an additional \$15,951.00 for a total not-to-exceed cost of \$46,950.00. The funding source is Sales Tax. The funding will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -13-  
Nays: Newburg -1-  
Absent: -0-

**2013-266CR**

67. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Change Order for City-Wide Sidewalk & ADA Repairs Pkg. B to Campos Construction, Inc. for an additional \$14,500.00 for a total not-to-exceed

cost of \$30,903.00. The funding source is Sales Tax. The funding will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
Nays: McNeely -1-  
Absent: -0-

## **MOTIONS AND RESOLUTIONS**

### **2013-094R**

68. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the St. Edward's Church, requesting a special event permit and liquor permit for consumption of liquor outdoors on private property ("S" license) for St. Edward's Summerfest to be held on Sunday, July 28, 2013 from 10:00 am - 8:00 pm at St. Edward's Church, 3004 11<sup>th</sup> Street, Rockford, Illinois. MOTION PREVAILED.

### **2013-095R**

69. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids for the following:

A. Bid: Keith Creek Demolitions, Phase 3B, funding source: DCEO Community Development IKE Property Buyout Program

B. Bid: City-Wide Drainage Improvements (East High at 10<sup>th</sup> Ave.), funding source: Sales Tax

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

### **2013-096R**

70. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution of the City of Rockford Ascertain the Prevailing Wages for Laborers, Mechanics and Workers Employed by Said City. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-  
Nays: Hervey, McNeely -2-  
Absent: -0-

## **NEW BUSINESS**

71. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor

Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Richard Buckley and Gary Weeks d/b/a Molly's Deli** for the sale of beer and wine by the drink in conjunction with a restaurant in a C-3, Commercial General Zoning District at 2420 and 2424 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E
5. The hours of operation will be limited to 8:00 am to 1:00 am Monday through Sunday.
6. Window display signage is limited to 30% of the window area.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not have a dance floor
9. The restaurant shall not have any DJ's
10. The restaurant shall not have any live entertainment
11. The restaurant shall not operate as a nightclub.
12. The percentage of alcohol sales shall be no more than (15%) of the total revenue generated at the business.

Approval is based on the Findings of Fact. LAID OVER.

72. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached amendments to the Festival Zone vending for carts, kiosks and artistic performers and replacing Chapter 5, Division 8 of the Code of Ordinances.

LAID OVER.

73. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" on the south side of Morgan Street from Rock Street to Main Street, thus repealing the Two Hour 8:00 am – 5:00 pm parking restriction.

LAID OVER.

74. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction for thirteen (13) spaces in Municipal Parking Lot TT, thus repealing "Permit Only" parking restriction for thirteen (13) spaces in Municipal Parking Lot TT.

LAID OVER.

75. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

A Residential Parking Zone on both sides of Hall Street between East Jefferson and 6<sup>th</sup> Street.

LAID OVER.

76. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the south side of Morgan Street from Main Street to one hundred (100) feet east of Main Street.

LAID OVER.

77. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the south side of Kent Street from Main Street west to the north/south alley.

LAID OVER.

78. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on the south side of Montague Street from Rock Street to one hundred (100) feet east of Main Street.

LAID OVER.

79. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on both sides of Loomis Street from Main Street to Court Street.

LAID OVER.



80. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 7:00 am – 8:00 pm on the south side of Kent Street from the north/south alley west of Main Street to seventy-five (75) feet west of the north/south alley.

LAID OVER.

81. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 3:00 pm – 6:00 pm on the north side of Montague Street from Rock Street to Main Street.

LAID OVER.

82. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to thirty-five (35) feet south of Jackson Street, thus repealing the "No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to fifty (50) feet south of Jackson Street.

LAID OVER.

83. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on the south side of Montague Street from one hundred fifty (150) feet west of Main Street to Court Street.

LAID OVER.

84. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 310, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Three Hour" parking restriction for thirty (30) spaces in Municipal Parking Lot F, thus repealing the "Two Hour" parking restriction for thirty (30) spaces in Municipal Lot F.

LAID OVER.

85. Upon motion duly made and seconded, the meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**July 8, 2013**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Petitions and Communications
- Committee Reports
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER JULY 1, 2013**

1. Hervey - Finance and Personnel - Recommending the award for (1) Forklift be made to the low bidder, Rockford Industrial Equipment, of Rockford, Illinois for their total bid of \$26,772.00. The funding source is Garage Capital Budget/Lease Funds.
2. Hervey - Finance and Personnel - Recommending the award for Rental of Traffic Control Devices for Special Events be made to the low bidder, Sanco Traffic Control, of Rockford, Illinois for their prices listed on the tabulation. The term of the contract is one year with an estimated annual value of \$34,000.00. The funding source is Departmental Operating Budgets.
3. Hervey - Finance and Personnel - Recommending the award for Millennium Fountain Operation and Maintenance be made to Geostar Mechanical, Inc., of Rockford, Illinois in the amount of \$19,064 annually. Funding source is the Redevelopment Fund.
4. Hervey - Finance and Personnel - Recommending approval of a National Joint Powers Alliance contract with a national company, CDW-G, of Vernon Hills, Illinois for IT hardware and software for an estimated annual cost of \$210,000. The funding source is IT Fund and Departmental Operating Budgets.
5. Beck - Code and Regulation - Recommending approval of a ten (10) year lease with the Orchid Neighborhood Association of the vacant lots at 721 and 727 South 3<sup>rd</sup> Street for the use of a community garden for a \$1.00. Said lease shall include an automatic renewal clause every five years, which can be exercised in the event the property is in full compliance with all City of Rockford codes and the property continues to be used as a community garden site. The Legal Director shall prepare the lease.

6. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than ten percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
  3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
  4. That the existing free-standing sign may remain with the addition of an electric reader board.
  5. Must obtain separate permits for signage.
  6. Must develop site in accordance with new civil and landscaping plans approved by Staff.
7. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Ahmad Tawfiq Elwan d/b/a Petromax 101**, in a C-3, Commercial General Zoning District at 4307, 4311, 4315, 4317, 4417 Auburn Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. Window display signage shall not exceed 35% of window area
  4. The sale of rose tubes, airplane-sized bottles and liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
  5. Hours of operation are limited to 6:00 am to 12:00 am (midnight) Sunday through Saturday.
  6. Windows shall not be obstructed by bars or any other device that will block windows.
  7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
  8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
  9. \*
8. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products with a gas station in the name of **Samer Alzubi d/b/a Zubi Rockford, Inc.**, in a C-3, Commercial General Zoning District at 3003 11<sup>th</sup> Street. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes

2. Compliance with all City of Rockford Tobacco Codes
  3. Window display signage is limited to 35% of window area.
  4. The sale of rose tubes, airplane-sized bottles and any other product which can easily be converted into a "crack-pipe" is prohibited.
  5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
  6. That the windows shall not be obstructed with bars or other devices that block the windows.
9. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with video gaming in the name of **John Hassett d/b/a Flamingo Slots**, in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 South Bell School Road. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.
  2. That the business operates in conformance with the liquor codes.
  3. The hours of operation are allowed as established under the liquor codes.
  4. That there be no exterior window signage.
  5. That there shall be no cover charge or dance floor and shall not operate as a night club.
  6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted – Exhibit F
10. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a casual dining restaurant and bar; and the sale of liquor by the drink with an outdoor seating area in the name of **Joshua Binning d/b/a Lucha Cantina**, in a C-3, Commercial General Zoning District at 1641 North Alpine Road, Suite 212, 1605 and 1639 North Alpine Road. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.
  2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday, 11:00 am – 2:00 am.
  3. A cover charge, DJ or dance floor shall not be allowed.
  4. That the business shall operate in conformance with the liquor codes
  5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.
11. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **William White d/b/a Longhorn Steakhouse**, in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657 and 6663 East State Street. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.

12. Beck - Code and Regulation - SUSTAINING the Liquor and tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **Joseph Tarara d/b/a Jo-Jo's Pizza**, in a C-2, Limited Commercial Zoning District at 3110 South Alpine Road. Approval is subject to the following conditions:
  1. Must meet all applicable Building and Fire Codes.
  2. The dumpster/grease container must be enclosed
  3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
  4. That the outdoor seating area be closed by 10:00 pm during the weekdays and midnight on weekends.
  5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
  6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.
13. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor with upscale discount retail store in the name of **Corey Haaland/Target Corporation d/b/a Target Store T-0810** in a C-2, Limited Commercial Zoning District at 6560 East State Street. Approval is subject to the following conditions:
  1. Must meet all applicable Liquor Codes.
  2. Must meet all applicable Building and Fire Codes.
14. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Special Use Permit for off-premises business identification sign; DENY the (B) Variation to increase the maximum allowable square footage from sixty-four (64) square feet to ninety-six (96) square feet; and DENY the (C) Variation to increase the maximum allowed height from eight (8) feet to thirteen (13) feet in an I-1, Light Industrial Zoning District at 228 Energy Avenue.

## II. ORDINANCES LAID OVER JULY 1, 2013

1. Beck - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Richard Buckley and Gary Weeks d/b/a Molly's Deli** for the sale of beer and wine by the drink in conjunction with a restaurant in a C-3, Commercial General Zoning District at 2420 and 2424 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E

5. The hours of operation will be limited to 8:00 am to 1:00 am Monday through Sunday.
  6. Window display signage is limited to 30% of the window area.
  7. The restaurant shall not have a cover charge.
  8. The restaurant shall not have a dance floor
  9. The restaurant shall not have any DJ's
  10. The restaurant shall not have any live entertainment
  11. The restaurant shall not operate as a nightclub.
  12. The percentage of alcohol sales shall be no more than (15%) of the total revenue generated at the business.
- 
2. Beck - Ordinance - Authorizing the Mayor and Legal Director to execute the attached amendments to the Festival Zone vending for carts, kiosks and artistic performers and replacing Chapter 5, Division 8 of the Code of Ordinances.
  3. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" on the south side of Morgan Street from Rock Street to Main Street, thus repealing the Two Hour 8:00 am – 5:00 pm parking restriction.
  4. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

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  5. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

A Residential Parking Zone on both sides of Hall Street between East Jefferson and 6<sup>th</sup> Street.
  6. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the south side of Morgan Street from Main Street to one hundred (100) feet east of Main Street.
  7. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the south side of Kent Street from Main Street west to the north/south alley.
  8. Beck - introduced and read an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on the south side of Montague Street from Rock Street to one hundred (100) feet east of Main Street.

9. Beck - Ordinance - Amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on both sides of Loomis Street from Main Street to Court Street.

10. Beck - Ordinance - Amending Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 7:00 am – 8:00 pm on the south side of Kent Street from the north/south alley west of Main Street to seventy-five (75) feet west of the north/south alley.

11. Beck - Ordinance - Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 3:00 pm – 6:00 pm on the north side of Montague Street from Rock Street to Main Street.

12. Beck - Ordinance - Amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to thirty-five (35) feet south of Jackson Street, thus repealing the "No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to fifty (50) feet south of Jackson Street.

13. Beck - Ordinance - Amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on the south side of Montague Street from one hundred fifty (150) feet west of Main Street to Court Street.

14. Beck - Ordinance - Amending Chapter 16, Schedule Section 310, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Three Hour" parking restriction for thirty (30) spaces in Municipal Parking Lot F, thus repealing the "Two Hour" parking restriction for thirty (30) spaces in Municipal Lot F.

### **III. MOTION/RESOLUTIONS READ**

1. Beck - Foley's Bike Show – 7/14/13
2. Beck - Kiwanis Brat Days – 7/19-20/13



3. Beck - State Street Mile (revised) – 8/3/13
4. Beck - Tailgate Party – 7/13/13

#### **IV. APPOINTMENTS LAID OVER JULY 1, 2013**

1. Mayor Morrissey – Appointment - Community Action Agency Board, Mr. Maurice West II for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
2. Mayor Morrissey – Appointments - Community Action Agency Board, Ms. Soco Swanson for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
3. Mayor Morrissey – Appointment - Community Action Agency Board, Ms. Alisha Roser for a one year term ending June 2014. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).

- Motions and Resolutions

#### **V. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beck – Ordinance - APPROVE the Modification of a Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than then percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
  3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
  4. That the existing free-standing sign may remain with the addition of an electric reader board.
  5. Must obtain separate permits for signage.
  6. Must develop site in accordance with new civil and landscaping plans approved by Staff.
2. Beck – Ordinance - APPROVE the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Ahmad Tawfiq Elwan d/b/a Petromax 101**, in a

C-3, Commercial General Zoning District at 4307, 4311, 4315, 4317, 4417 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. Window display signage shall not exceed 35% of window area
  4. The sale of rose tubes, airplane-sized bottles and liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
  5. Hours of operation are limited to 6:00 am to 12:00 am (midnight) Sunday through Saturday.
  6. Windows shall not be obstructed by bars or any other device that will block windows.
  7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
  8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
  9. The owner shall conduct an exterior sweep of the property twice daily to pick up trash on the property.
3. Beck – Ordinance - APPROVE the sale of tobacco produces with a gas station in the name of **Samer Alzubi d/b/a Zubi Rockford, Inc.**, in a C-3, Commercial General Zoning District at 3003 11<sup>th</sup> Street. Approval is subject to the following conditions:
1. Meeting all applicable Building and Fire Codes
  2. Compliance with all City of Rockford Tobacco Codes
  3. Window display signage is limited to 35% of window area.
  4. The sale of rose tubes, airplane-sized bottles and any other product which can easily be converted into a "crack-pipe" is prohibited.
  5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
  6. That the windows shall not be obstructed with bars or other devices that block the windows.
4. Beck – Ordinance - APPROVE the sale of liquor by the drink in conjunction with video gaming in the name of **John Hassett d/b/a Flamingo Slots**, in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 South Bell School Road. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.
  2. That the business operates in conformance with the liquor codes.
  3. The hours of operation are allowed as established under the liquor codes.
  4. That there be no exterior window signage.
  5. That there shall be no cover charge or dance floor and shall not operate as a night club.
  6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted – Exhibit F
5. Beck – Ordinance - APPROVE the sale of liquor by the drink with a casual dining restaurant and bar; and the sale of liquor by the drink with an outdoor seating area in the name of

**Joshua Binning d/b/a Lucha Cantina**, in a C-3, Commercial General Zoning District at 1641 North Alpine Road, Suite 212, 1605 and 1639 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
  2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday, 11:00 am – 2:00 am.
  3. A cover charge, DJ or dance floor shall not be allowed.
  4. That the business shall operate in conformance with the liquor codes
  5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.
6. Beck – Ordinance - APPROVE the sale of liquor by the drink with a restaurant in the name of **William White d/b/a Longhorn Steakhouse**, in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657 and 6663 East State Street. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.
7. Beck – Ordinance - APPROVE the sale of liquor by the drink with a restaurant in the name of **Joseph Tarara d/b/a Jo-Jo's Pizza**, in a C-2, Limited Commercial Zoning District at 3110 South Alpine Road. Approval is subject to the following conditions:
1. Must meet all applicable Building and Fire Codes.
  2. The dumpster/grease container must be enclosed
  3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
  4. That the outdoor seating area be closed by 10:00 pm during the weekdays and midnight on weekends.
  5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
  6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.
8. Beck – Ordinance - APPROVE the sale of packaged liquor with upscale discount retail store in the name of **Corey Haaland/Target Corporation d/b/a Target Store T-0810** in a C-2, Limited Commercial Zoning District at 6560 East State Street. Approval is subject to the following conditions:
1. Must meet all applicable Liquor Codes.
  2. Must meet all applicable Building and Fire Codes.
9. Beck – Ordinance - APPROVE the (A) Special Use Permit for off-premises business identification sign; DENY the (B) Variation to increase the maximum allowable square footage from sixty-four (64) square feet to ninety-six (96) square feet; and DENY the (C) Variation to increase the maximum allowed height from eight (8) feet to thirteen (13) feet in an I-1, Light Industrial Zoning District at 228 Energy Avenue.

10. Beck – Ordinance – APPROVE a ten (10) year lease of the vacant lot at 721 and 727 South 3<sup>rd</sup> Street for the use of a community garden for a minimum bid of \$1.00 with preference to an established neighborhood organization with tax exempt status within the neighborhood.

\* same action taken before

- Adjournment

\* \* \* \* \*

### **POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

#### **CODE AND REGULATION COMMITTEE**

**Monday, July 8, 2013, 5:15 p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

#### **AGENDA**

1. C & R 13-65 13-LTAB-011 Request for the Sale of Liquor by the drink in conjunction with a bar in a C-2, Limited Commercial Zoning District at 1090 West Riverside Boulevard (gaming machines)
2. C & R 13-109 Special Events: Tailgate Party 07/13/13  
Foley's Bike Show 07/14/13  
Kiwanis Brat Days 07/19/13 & 07/20/13  
State Street Mile (revised) 08/13/13

#### **FINANCE AND PERSONNEL COMMITTEE**

**Monday, July 8, 2013, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**

#### **AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: (5) Demolitions: 803 Mattis Avenue, 2415 Andrews Street, 1411 Mulberry Street, 2222 10<sup>th</sup> Street, and 902 Willard Avenue – Suspend Rules
  - B. Resolution to take Bids/Proposals
  - C. Vouchers

2. Investment Report through May
3. Intergovernmental Agreement for Data Sharing with Rockford Housing Authority

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, July 8, 2013, 5:15 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. Memorandum from Patrick Hayes regarding Gas & Electric Building Development Agreement Amendment.
2. Memorandum from Wayne Dust, Planning Administrator, regarding the consideration of Auburn Street Corridor TIF District.
3. Memorandum from Alderman Tim Durkee regarding Ongoing Planning Initiative Efforts.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, February 25, 2013, \_\_\_\_\_ p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

No Meeting Scheduled.